

II. REMARKS

Claims 1, 3, 6-13, 15, 16, 19-23, and 25 were previously pending in the application of which, claim 3 has been cancelled and independent claims 1 and 16 have been amended. Reconsideration of claims 1, 6-13, 15, 16, 19-23, and 25 is respectfully requested in light of the above amendments and the following remarks.

The Amendments to Claims 1 and 16

Claim 3 has been cancelled with its limitations being added to independent claims 1 and 16. It is noted that claim 1 has been amended to require “a semiconductor futures exchange coupled to the virtual fab adapted to trade semiconductor manufacturing capacity futures based on the plurality of manufacturing capacity contracts and a reported WIP.” Claim 16 includes a similar amendment. This amendment is reflective of original claim 3, which stated that “the information [received by the semiconductor future exchange for offering semiconductor futures for sale] includes work in progress (WIP) of the virtual semiconductor fabrication facility.” Thus, the present amendment presents limitations that were previously before the Office.

Claim Rejections – 35 USC § 103

Since the limitations of dependent claim 3 have been added to both independent claims 1 and 16, the present remarks will discuss the standing rejection of claim 3.

Claim 3 stands rejected under 35 USC 103(a) as allegedly being unpatentable over Chou et al. (U.S. Patent No. 6,240,400) in view of Nafeh et al. (U.S. Publication No. 2002/0069155) in further view of Hagen et al. (U.S. Patent No. 6,748,287).

The Examiner notes at paragraph 24 of the action that “neither Chou nor Nafeh explicitly disclose: the virtual fab further comprises a work in progress (WIP) reporting system for the virtual semiconductor fabrication facility.” To meet this missing limitation, the Examiner states that “Hagen discloses a work-in-progress (WIP) tracking system[.]” Pg. 24, citing the Abstract of Hagen.

Even with this combination of references, there is still no teaching of “a semiconductor futures exchange coupled to the virtual fab adapted to trade semiconductor manufacturing capacity futures based on the plurality of manufacturing capacity contracts and a reported WIP,” as is provided in amended claim 1. Instead, the cited portions of Hagen only describe providing WIP updates “to downstream vendors to reduce semiconductor manufacturing cycle time and unpredictability between different semiconductor manufacturing phases.” Hagen Abstract.

Thus, claim 1 should be allowed over the prior art, as well as claim 16. The remaining dependent claims should also be allowed for depending on an allowed base claim.

Conclusion

An early formal notice of allowance of claims 1, 6-13, 15, 16, 19-23, and 25 is requested. The Examiner is invited to telephone the undersigned if further assistance is necessary. Deposit account number 08-1394 can be used for any over payments or under payments.

Respectfully submitted,

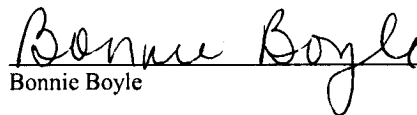


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